
A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

PART I. GENERAL PROVISIONS

SECTION 1. This Act shall be known and may be cited as the
Judiciary Appropriations Act of 2019.

SECTION 2. Unless otherwise clear from the context, as
used in this Act:

"Means of Financing," or "MOF," means the source from which
funds are appropriated, or authorized, as the case may be, to be
expended for the programs and projects specified in this Act.

All appropriations are followed by letter symbols. The letter
symbols, where used, shall have the following meanings:

- A General funds
- B Special funds
- C General obligation bond funds
- N Federal funds
- W Revolving funds

"Position ceiling" means the maximum number of permanent or
temporary positions authorized for a particular program during a



1 specified period or periods, as noted by an asterisk or pound
2 sign, respectively.

3 "Program ID" means the unique identifier for the specific
4 program, and consists of the abbreviation for the judiciary
5 (JUD) followed by a designated number for the program.

6 PART II. PROGRAM APPROPRIATIONS

7 SECTION 3. The following sums, or so much thereof as may
8 be sufficient to accomplish the purposes and programs designated
9 herein, are appropriated or authorized from the sources of
10 funding specified to the judiciary for the fiscal biennium
11 beginning July 1, 2019, and ending June 30, 2021. The total
12 expenditures and the number of permanent and temporary positions
13 established in each fiscal year of the fiscal biennium shall not
14 exceed the sums and the position ceilings indicated for each
15 year, except as provided in this Act.

16



PROGRAM APPROPRIATIONS

				APPROPRIATIONS			
ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1	The Judicial System						
2	1.	JUD101 - COURTS OF APPEAL					
3				74.00*		74.00*	
4				1.00#		1.00#	
5		OPERATING	JUD	7,273,126A		7,319,421A	
6							
7	2.	JUD310 - FIRST CIRCUIT					
8				1,105.50*		1,105.50*	
9				55.58#		55.58#	
10		OPERATING	JUD	88,000,097A		88,595,439A	
11				41.00*		41.00*	
12			JUD	4,429,112B		4,429,112B	
13							
14	3.	JUD320 - SECOND CIRCUIT					
15				214.50*		214.50*	
16				1.68#		1.68#	
17		OPERATING	JUD	18,142,872A		18,274,456A	
18							
19	4.	JUD330 - THIRD CIRCUIT					
20				240.00*		240.00*	
21				5.68#		5.68#	
22		OPERATING	JUD	21,729,887A		21,761,042A	
23							
24	5.	JUD350 - FIFTH CIRCUIT					
25				103.00*		103.00*	
26				2.60#		2.60#	
27		OPERATING	JUD	8,290,636A		8,447,902A	
28							
29	6.	JUD501 - JUDICIAL SELECTION COMMISSION					
30				1.00*		1.00*	
31		OPERATING	JUD	103,414A		103,414A	
32							
33	7.	JUD601 - ADMINISTRATION					
34				227.00*		227.00*	
35				9.48#		9.48#	
36		OPERATING	JUD	28,439,142A		28,440,195A	
37				1.00*		1.00*	
38				9.00#		9.00#	
39			JUD	8,034,802B		8,034,802B	
40			JUD	343,261W		343,261W	
41		INVESTMENT CAPITAL	JUD	23,326,000C		15,881,000C	
42							



1 PART III. PROGRAM PROVISIONS

2 SECTION 4. Whenever the need arises, the chief justice, in
3 administering an equitable and expeditious judicial process, may
4 transfer sufficient funds and positions between programs for
5 operating purposes; provided that no transfer shall be made to
6 implement any collective bargaining contract signed after this
7 legislature adjourns sine die.

8 SECTION 5. If the chief justice or any agency or
9 government unit secures federal funds or other property under
10 any act of Congress, or any funds or other property from private
11 organizations or individuals that are to be expended in
12 connection with any program or works authorized by this Act or
13 otherwise, the chief justice, or the agency with the chief
14 justice's approval, may enter into the undertaking with the
15 federal government, private organization, or individual.

16 SECTION 6. The judiciary may transfer savings from its
17 general fund appropriation to the driver education and training
18 fund to accommodate any temporary cash flow deficits.

19 SECTION 7. Provided that of the general fund appropriation
20 for fiscal year 2019-2020 and fiscal year 2020-2021 for the
21 first judicial circuit (JUD310) for one family court judge, the



1 chief justice shall assign as a significant primary duty to that
2 judge the hearing of, among other matters, petitions for
3 guardianships for individuals with severe mental illnesses and
4 petitions for assisted community treatment.

5 SECTION 8. Provided that of the general fund appropriation
6 for administration (JUD601), the sum of \$800,000 or so much
7 thereof as may be necessary for fiscal year 2019-2020 and the
8 same sum or so much thereof as may be necessary for fiscal year
9 2020-2021 shall be expended for general civil legal services to
10 low- and moderate-income residents of the State by entities in
11 the State whose central mission is to provide general civil
12 legal services and who meet qualifications and standards as
13 established by the chief justice.

14 SECTION 9. Provided that of the general fund appropriation
15 for administration (JUD601), the sum of \$52,956 or so much
16 thereof as may be necessary for fiscal year 2019-2020 and the
17 same sum or so much thereof as may be necessary for fiscal year
18 2020-2021 shall be expended for one full-time equivalent (1.0
19 FTE) social worker IV position in the office of the public
20 guardian, whose primary activities shall relate to individuals
21 with severe mental illnesses who are under guardianship or for



1 whom a petition for guardianship may be pending and the office
2 of the public guardian is named as guardian.

3 PART IV. COMMUNITY OUTREACH COURT

4 SECTION 10. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$445,768 or so
6 much thereof as may be necessary for the community outreach
7 court project that is administered and operated under the
8 judiciary in collaboration with the office of the public
9 defender and the office of the prosecuting attorney of the
10 city and county of Honolulu.

11 (1) Of the amounts appropriated:

12 (A) The office of the public defender shall expend
13 the sum of \$154,000 or so much thereof as may be
14 necessary for the following 3.00 permanent
15 positions for the performance of duties under the
16 community outreach court project:

17 (i) 1.00 permanent deputy public defender;

18 (ii) 1.00 permanent paralegal; and

19 (iii) 1.00 permanent social worker or advocate;

20 (B) Notwithstanding any law to the contrary, the
21 public defender shall transfer to the judiciary



1 of the State of Hawaii the sum of \$126,364 or so
2 much thereof as may be necessary for the
3 administration and operation of the community
4 outreach court project; and

5 (C) Notwithstanding any law to the contrary, the
6 public defender shall transfer to the office of
7 the prosecuting attorney of the city and county
8 of Honolulu the sum of \$165,404 or so much
9 thereof as may be necessary for payment of the
10 personal services and fringe benefit costs of the
11 following 2.00 permanent positions for the
12 operation of the community outreach court
13 project:

14 (i) 1.00 deputy prosecuting attorney; and

15 (ii) 1.00 paralegal;

16 (2) If requested by the public defender, the director of
17 finance shall make the transfers under paragraphs

18 (1)(B) and (C) on behalf of the public defender;

19 (3) The public defender shall enter into memoranda of
20 agreement with the chief justice and prosecuting
21 attorney of the city and county of Honolulu with



1 respect to the transfers and expenditure of funds as
2 specified under paragraphs (1)(B) and (C); and
3 (4) The public defender shall submit the memoranda of
4 agreement to the legislature at least twenty days
5 before the convening of the regular sessions of 2020
6 and 2021. The public defender may request the chief
7 justice to include the memoranda of agreement with the
8 community court outreach project reports required of
9 the chief justice.

10 The sum appropriated shall be expended by the office
11 of the public defender (BUF151) for the purposes of this
12 Act.

13 PART V. CAPITAL IMPROVEMENT PROJECTS

14 SECTION 11. The sum of \$39,207,000 appropriated or
15 authorized in part II of this Act for capital improvement
16 projects shall be expended by the judiciary for the projects
17 listed below; provided that several related or similar projects
18 may be combined into a single project, if a combination is
19 advantageous or convenient for implementation; provided further
20 that the total cost of the projects thus combined shall not
21 exceed the total of the sums specified for the projects



1 separately. The amount after each cost element and the total
2 funding for each project listed in this part are in thousands of
3 dollars.

4



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1	A.	ECONOMIC DEVELOPMENT					
2	JUD601	- ADMINISTRATION					
3							
4	1.	KAAHUMANU HALE FIRE ALARM AND					
5		ELEVATOR SYSTEMS UPGRADE AND					
6		MODERNIZATION, OAHU					
7							
8		CONSTRUCTION FOR FIRE ALARM AND					
9		ELEVATOR SYSTEMS UPGRADE AND					
10		MODERNIZATION AT KAAHUMANU HALE, OAHU.					
11		CONSTRUCTION		9,188		8,081	
12		TOTAL FUNDING	JUD	9,188 C		8,081 C	
13							
14	2.	ALIIOLANI HALE AIR CONDITIONING					
15		SYSTEM UPGRADE, OAHU					
16							
17		DESIGN, CONSTRUCTION, AND EQUIPMENT					
18		REPLACEMENT, IN PHASES AS FUNDS ARE					
19		AVAILABLE, WITH INTENT TO RENEW THE AC					
20		SYSTEMS AT ALIIOLANI HALE, OAHU.					
21		DESIGN		200			
22		CONSTRUCTION		400		400	
23		EQUIPMENT		400		400	
24		TOTAL FUNDING	JUD	1,000 C		800 C	
25							
26	3.	LUMP SUM CIP FOR JUDICIARY					
27		FACILITIES, STATEWIDE					
28							
29		PLANS, DESIGN, CONSTRUCTION, AND					
30		EQUIPMENT FOR IMPROVEMENTS, INCLUDING					
31		DEFERRED REPAIRS AND MAINTENANCE,					
32		ALTERATIONS, UPGRADES AND RENOVATIONS TO					
33		JUDICIARY FACILITIES, STATEWIDE.					
34		PLANS		50		50	
35		DESIGN		250		250	
36		CONSTRUCTION		2,300		2,300	
37		EQUIPMENT		400		400	
38		TOTAL FUNDING	JUD	3,000 C		3,000 C	
39							



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F

1	4.	KAAHUMANU HALE REPAIR BASEMENT LEAKS					
2		AND DAMAGES, OAHU					
3							
4		DESIGN AND CONSTRUCTION TO REPAIR					
5		LEAKS IN THE TELECOMMUNICATIONS ROOM AND					
6		THE EVIDENCE ROOM IN THE BASEMENT PARKING					
7		AREA AT KAAHUMANU HALE, OAHU.					
8		DESIGN		179			
9		CONSTRUCTION		1,816			
10		TOTAL FUNDING	JUD	1,995 C			C
11							
12	5.	HOAPILI HALE SECURITY IMPROVEMENTS,					
13		MAUI					
14							
15		DESIGN AND CONSTRUCTION OF SECURITY-					
16		RELATED IMPROVEMENTS AT HOAPILI HALE,					
17		MAUI.					
18		DESIGN		1,060			
19		CONSTRUCTION		2,450		2,000	
20		TOTAL FUNDING	JUD	3,510 C		2,000 C	
21							
22	6.	KAUAI JUDICIARY COMPLEX REROOF AND					
23		REPAIR LEAKS AND DAMAGES, KAUAI					
24							
25		DESIGN AND CONSTRUCTION TO REROOF,					
26		REPAIR LEAKS AND ASSOCIATED EXTERIOR AND					
27		INTERIOR DAMAGES, AND ADD ROOF ACCESS AND					
28		FALL PROTECTION AT KAUAI JUDICIARY					
29		COMPLEX, KAUAI.					
30		DESIGN		120			
31		CONSTRUCTION		2,120		2,000	
32		TOTAL FUNDING	JUD	2,240 C		2,000 C	
33							



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1	7.	HOAPILI HALE PARKING STRUCTURE SEWER,					
2		STORM DRAIN, AC AND FIRE SPRINKLER					
3		PIPING IMPROVEMENTS, MAUI					
4							
5		DESIGN AND CONSTRUCTION, IN PHASES AS					
6		FUNDS ALLOW, TO RENOVATE THE SANITARY					
7		(WASTE), STORM DRAIN, AC (CHILLED WATER),					
8		AND FIRE SUPPRESSION SYSTEMS IN THE					
9		PARKING STRUCTURE AT HOAPILI HALE, MAUI.					
10		DESIGN		650			
11		CONSTRUCTION		200			
12		TOTAL FUNDING	JUD	850 C			C
13							
14	8.	KAAHUMANU HALE ATRIUM SECURITY AND					
15		MONITORING OFFICE RENOVATION, OAHU					
16							
17		DESIGN AND CONSTRUCTION TO RENOVATE					
18		THE ATRIUM AREA TO ENLARGE, REORGANIZE,					
19		AND UPGRADE THE SHERIFF STATION TO					
20		IMPROVE SECURITY AND MONITORING AT THE					
21		MAIN PUBLIC ENTRY AT KAAHUMANU HALE,					
22		OAHU.					
23		DESIGN		105			
24		CONSTRUCTION		1,438			
25		TOTAL FUNDING	JUD	1,543 C			C
26							



1 PART VI. ISSUANCE OF BONDS

2 SECTION 12. General obligation bonds may be issued, as
3 provided by law, to yield the amount that may be necessary to
4 finance projects authorized in part II and listed in part V of
5 this Act; provided that the sum of the general obligation bonds
6 so issued shall not exceed \$39,207,000.

7 PART VII. SPECIAL PROVISIONS

8 SECTION 13. Any law or any provision of this Act to the
9 contrary notwithstanding, the appropriations made for capital
10 improvement projects authorized in part II and listed in part V
11 of this Act shall not lapse at the end of the fiscal year for
12 which the appropriations are made; provided that all
13 appropriations made for fiscal year 2019-2020 and fiscal year
14 2020-2021 that are unencumbered as of June 30, 2022, shall lapse
15 as of that date.

16 SECTION 14. The judiciary may delegate to other state or
17 county agencies the planning, acquisition of land, design,
18 construction, and equipment of any capital improvement project
19 when it is determined by the judiciary to be advantageous to do
20 so.



1 SECTION 15. All unrequired balances in the general
2 obligation bond fund, after the objectives of part II
3 appropriations for capital improvements program purposes listed
4 as projects in part V of this Act have been met, shall be
5 transferred to the judiciary project adjustment fund.

6 SECTION 16. If the amount allocated from the general
7 obligation bond fund for a capital improvement project listed in
8 part V of this Act is insufficient, the chief justice may make
9 supplemental allotments from the project adjustment fund;
10 provided that supplemental allotments shall not be used to
11 increase the scope of the project.

12 SECTION 17. Where it has been determined that changed
13 conditions, such as a reduction in the particular population
14 being served, permit the reduction in the scope of a project
15 listed in part V of this Act, the chief justice may authorize
16 this reduction of project scope.

17 SECTION 18. The chief justice shall determine when and the
18 manner in which the authorized capital improvement projects
19 shall be initiated. The chief justice shall notify the governor
20 from time to time of the specific amounts required for the



1 projects, and the governor shall provide for those amounts
2 through the issuance of bonds authorized in part VI of this Act.

3 SECTION 19. Any law or any provision of this Act to the
4 contrary notwithstanding, the chief justice may supplement funds
5 for any cost element for a capital improvement project
6 authorized under this Act by transferring any sums as may be
7 needed from the funds appropriated for other cost elements of
8 the same project by this Act or by any other prior or future Act
9 that has not lapsed; provided that the total expenditure of
10 funds for all cost elements for the project shall not exceed the
11 total appropriation for that project.

12 PART VIII. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE

13 SECTION 20. If any portion of this Act or its application
14 to any person or circumstances is held to be invalid for any
15 reason, the remainder of the Act and any provision thereof shall
16 not be affected. If any portion of a specific appropriation is
17 held to be invalid for any reason, the remaining portion shall
18 be independent of the invalid portion and shall be expended to
19 fulfill the objective and intent of the appropriation to the
20 extent possible.



1 SECTION 21. If any manifest clerical, typographical, or
2 other mechanical error is found in this Act, the chief justice
3 may correct the error. All changes made pursuant to this
4 section shall be reported to the legislature at its next regular
5 session.

6 SECTION 22. This Act shall take effect on July 1, 2030.



Report Title:

Judiciary Package; Appropriations; Budget

Description:

Appropriates funds for the Judiciary for the fiscal biennium beginning 7/1/2019, and ending 6/30/2021. Effective 7/1/2030. (SD1).

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

